

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
CENTRAL DIVISION**

**HARVEY JONES  
ADC #88202**

**PETITIONER**

**v.**

**Case No. 4:20-cv-01425-LPR-JTR**

**DEXTER PAYNE  
Director, ADC**

**RESPONDENT**

**ORDER**

The Court has reviewed the Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray. (Doc. 5). No objections have been filed.<sup>1</sup> After careful consideration of the Recommended Disposition, as well as a *de novo* review of the record, the Court concludes that the Recommended Disposition should be, and hereby is, approved and adopted in its entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED that:

1. Petitioner Harvey Jones' § 2254 habeas petition (Doc. 1) is DISMISSED without prejudice.
2. Petitioner Jones' Motion to Appoint Counsel (Doc. 6) is DENIED as moot; and
3. a Certificate of Appealability is DENIED. *See* 28 U.S.C. § 2253(c)(1)-(2); Rule 11(a), Rules Governing § 2254 Cases in United States District Courts.

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<sup>1</sup> On the same date that the Recommended Disposition was filed (December 30, 2020), Petitioner Jones' Motion for Appointment of Counsel was entered on the docket. (Doc. 6). The Motion was mailed on December 27, 2020, which was three days *before* the Recommended Disposition was filed. *Id.* at 2. The Motion is not an Objection to the Recommended Disposition.

IT IS SO ORDERED this 25th day of January 2021.

A handwritten signature in black ink, appearing to read 'Lee P. Rudofsky', is written over a horizontal line.

LEE P. RUDOFSKY  
UNITED STATES DISTRICT JUDGE